

# Senate Amendment 3125

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1 Amend House File 454, as amended, passed, and  
2 reprinted by the House, as follows:  
3 #1. By striking everything after the enacting  
4 clause and inserting the following:  
5 1 6 UNIVERSAL NEWBORN AND INFANT HEARING SCREENING  
7 Section 1. NEW SECTION. 135.131 UNIVERSAL  
8 NEWBORN AND INFANT HEARING SCREENING.  
9 1. For the purposes of this section, unless the  
10 context otherwise requires:  
11 a. "Birth center" means birth center as defined in  
12 section 135.61.  
13 b. "Birthing hospital" means a private or public  
14 hospital licensed pursuant to chapter 135B that has a  
15 licensed obstetric unit or is licensed to provide  
16 obstetric services.  
17 2. Beginning January 1, 2004, all newborns and  
18 infants born in this state shall be screened for  
19 hearing loss in accordance with this section. The  
20 person required to perform the screening shall use at  
21 least one of the following procedures:  
22 a. Automated or diagnostic auditory brainstem  
23 response.  
24 b. Otoacoustic emissions.  
25 c. Any other technology approved by the  
26 department.  
27 3. Beginning January 1, 2004, a birthing hospital  
28 shall screen every newborn delivered in the hospital  
29 for hearing loss prior to discharge of the newborn  
30 from the birthing hospital. A birthing hospital that  
31 transfers a newborn for acute care prior to completion  
32 of the hearing screening shall notify the receiving  
33 facility of the status of the hearing screening. The  
34 receiving facility shall be responsible for completion  
35 of the newborn hearing screening. The birthing  
36 hospital or other facility completing the hearing  
37 screening under this subsection shall report the  
38 results of the screening to the parent or guardian of  
39 the newborn and to the department in a manner  
40 prescribed by rule of the department.  
41 4. Beginning January 1, 2004, a birth center shall  
42 refer the newborn to a licensed audiologist,  
43 physician, or hospital for screening for hearing loss  
44 prior to discharge of the newborn from the birth  
45 center. The hearing screening shall be completed  
46 within thirty days following discharge of the newborn.  
47 The person completing the hearing screening shall  
48 report the results of the screening to the parent or  
49 guardian of the newborn and to the department in a  
50 manner prescribed by rule of the department.  
2 1 5. Beginning January 1, 2004, if a newborn is  
2 delivered in a location other than a birthing hospital  
2 3 or a birth center, the physician or other health care  
2 4 professional who undertakes the pediatric care of the  
2 5 newborn or infant shall ensure that the hearing  
2 6 screening is performed within three months of the date  
2 7 of the newborn's or infant's birth. The physician or  
2 8 other health care professional shall report the  
2 9 results of the hearing screening to the parent or  
2 10 guardian of the newborn or infant and to the  
2 11 department in a manner prescribed by rule of the  
2 12 department.  
2 13 6. A birthing hospital, birth center, physician,  
2 14 or other health care professional required to report  
2 15 information under subsection 3, 4, or 5, shall report  
2 16 all of the following information  
2 17 to the department relating to a newborn's or  
2 18 infant's hearing screening, as applicable:  
2 19 a. The name, address, and telephone number, if  
2 20 available, of the mother of the newborn or infant.  
2 21 b. The primary care provider at the birthing  
2 22 hospital or birth center for the newborn or infant.  
2 23 c. The results of the hearing screening.  
2 24 d. Any rescreenings and the diagnostic  
2 25 audiological assessment procedures used.

2 26 7. The department may share information with  
2 27 agencies and persons involved with newborn and infant  
2 28 hearing screenings, follow-up, and intervention  
2 29 services, including the local birth-to-three  
2 30 coordinator or similar agency, the local area  
2 31 education agency, and local health care providers.  
2 32 The department shall adopt rules to protect the  
2 33 confidentiality of the individuals involved.  
2 34 8. An area education agency with which information  
2 35 is shared pursuant to subsection 7 shall report all of  
2 36 the following information to the department relating  
2 37 to a newborn's or infant's hearing, follow-up, and  
2 38 intervention services, as applicable:  
2 39 a. The name, address, and telephone number, if  
2 40 available, of the mother of the newborn or infant.  
2 41 b. The results of the hearing screening and any  
2 42 rescreenings, including the diagnostic audiological  
2 43 assessment procedures used.  
2 44 c. The nature of any follow-up or other  
2 45 intervention services provided to the newborn or  
2 46 infant.  
2 47 9. This section shall not apply if the parent  
2 48 objects to the screening. If a parent objects to the  
2 49 screening, the birthing hospital, birth center,  
2 50 physician, or other health care professional required  
3 1 to report information under subsection 3, 4, or 5 to  
3 2 the department shall obtain a written refusal from the  
3 3 parent, shall document the refusal in the newborn's or  
3 4 infant's medical record, and shall report the refusal  
3 5 to the department in the manner prescribed by rule of  
3 6 the department.  
3 7 10. A person who acts in good faith in complying  
3 8 with this section shall not be civilly or criminally  
3 9 liable for reporting the information required to be  
3 10 reported by this section.  
3 11 Sec. 2. NEW SECTION. 135B.18A UNIVERSAL NEWBORN  
3 12 AND INFANT HEARING SCREENING.  
3 13 Beginning January 1, 2004, a birthing hospital as  
3 14 defined in section 135.131 shall comply with section  
3 15 135.131 relating to universal newborn and infant  
3 16 hearing screening.>  
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3 20 NANCY BOETTGER  
3 21 HF 454.701 80  
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